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December 16, 2021

**VIA ECF**

Honorable André M. Espinosa, U.S.M.J.  
United States District Court  
District of New Jersey  
Martin Luther King, Jr. Courthouse  
50 Walnut Street  
Room 2037, Courtroom 2D  
Newark, New Jersey 07102

**Re: Dotcom Distribution Corp. v. Travelers Property Casualty Company of  
America and The Phoenix Insurance Company  
Civil Action No.: 2:20-cv-17871-CCC-AME**

Dear Judge Espinosa:

The parties, Plaintiff Dotcom Distribution Corp. (“Plaintiff” or “Dotcom”) and Defendants Travelers Property and Casualty Company of America and The Phoenix Insurance Company (collectively, “Defendants” or “Travelers”), in the referenced matter jointly submit this letter to request a 90-day extension of the deadlines set forth in Your Honor’s September 22, 2021 Order.

The parties have been attempting over the last few months to finish written discovery and begin depositions. However, issues arose regarding, in part, the scope of discovery. The parties traded written discovery deficiency letters and attempted multiple times to meet and confer to resolve the discovery disputes. In the course of these attempts, the parties also considered methods to streamline discovery in this matter.

After several exchanges of correspondence and multiple telephone discussions between counsel, the parties have agreed to enter into a Stipulation in which Plaintiff amends the allegations in the Complaint to remove all resolved claims, including Count IV of the Complaint seeking a declaratory judgment, which will have the effect of streamlining certain of the discovery and narrowing the issues in this case. At present, the parties have agreed in principle to the key terms of the Stipulation with the expectation same will be executed before the Christmas holiday. While the parties are cognizant of the extended time it took to reach an agreement to streamline discovery

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in this matter, they nevertheless believe that the time was well spent considering the reduction in discovery that the agreement will permit.

Even with the Stipulation, there will still remain a limited number of outstanding written discovery disputes that could not be resolved despite the multiple meet and confer conferences. As to such remaining disputes, a joint letter will be submitted to Your Honor, pursuant to Your Honor's rules, before January 1, 2022.

With only approximately two weeks left in the current fact discovery deadline of January 1, 2022, and the end-of-the-year holidays in the next few weeks, the parties cannot complete fact discovery by the current court imposed deadline. The parties anticipate that if the Stipulation can be executed and any remaining written discovery disputes submitted to the Court before January 1, 2022, the parties would likely be able to complete written discovery by the middle of February 2022, and complete fact depositions by the end of March 2022. Accordingly, the parties jointly request a 90-day extension of the deadlines set forth in Your Honor's September 22, 2021 Order.

The parties are available for a telephone conference at Your Honor's convenience should the Court require any additional information.

Respectfully submitted,

**FLASTER/GREENBERG P.C.**

By: /s/ Arthur Armstrong

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